

# RISKY NEWS

VOL. 12, NO. 2

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AUTUMN 2001



## COLORADO RESPONDS TO TERRORISM

State agencies responded quickly to the terrorist attacks on September 11, 2001.

Governor Owens ordered the State Patrol to increase security at state buildings. Some state facilities were closed.

The Office of Emergency Management (Department of Local Affairs) activated the Emergency Operations Center (EOC) at 8:00 am Mountain time. The EOC is at the State Patrol building in Golden. Agencies present included the Office of Emergency Management (OEM), State Patrol, Transportation, Public Health and Environment, Colorado National Guard, Corrections, and the F.B.I. The EOC was put on a 24-hour watch.

The Department of Military Affairs (Colorado National Guard) prepared for mobilization. 100 Colorado Air National Guard personnel and 4 F-16's of the 140<sup>th</sup> Wing at Buckley Air Force Base were mobilized to participate in Operation Noble Eagle, homeland defense and civil support services.

The Department of Military Affairs also has the 8<sup>th</sup> Weapons of Mass Destruction Civil Support Team available in the event of further attacks.

The Department of Public Health and Environment warned against giving smallpox or anthrax vaccines to the general public.

The Department of Natural Resources closed Lake Pueblo State Park from September 11<sup>th</sup> -28<sup>th</sup> as a security precaution.

The State Risk Management Office opened a Security Page on its website, which is located at: [http://www.state.co.us/gov\\_dir/gss/hr/risk/security.html](http://www.state.co.us/gov_dir/gss/hr/risk/security.html)



## RISK MANAGEMENT CONFERENCE OCTOBER 26, 2001

On April 19, 1995, Americans thought they had seen the worst event possible, as the Oklahoma City bombing disaster unfolded before their eyes.. People recoiled in horror, but thought "it can't happen here" ... that it was an isolated event, brought about by an unbalanced individual. On September 11, 2001, we learned that terror can happen anywhere, at any time.

The annual Risk Management Conference has scheduled a number of workshops and speakers whose topics relate directly to disaster preparation, prevention and the aftermath. Suzanne Mencer, executive director of the department of Public Safety, and former FBI agent and executive, will deliver the keynote, touching on loss control topics from Columbine to the recent terrorist attack in New York and Washington D.C.

Carole Matthews, from the Risk Management Office of the State of Washington, wraps up the day's events, providing details of the damage sustained by state buildings during the February, 2001 earthquake. At 5.7, the state capitol and other state buildings were damaged badly enough to be shut down, forcing government to evacuate and relocate.

CSEAP has put together a short presentation related to traumatic stress syndrome and other manifestations brought about by work related incidents. Chemical storage and disposal will be addressed in one of the workshops, as will benefit coordination for injured workers, in addition to several other timely topics.

A \$30 registration fee covers lunch and conference materials, and must be paid in advance. Registration forms are available by calling 303-866-3848 or at [http://www.state.co.us/gov\\_dir/gss/hr/risk/riskindex.htm](http://www.state.co.us/gov_dir/gss/hr/risk/riskindex.htm)



## FACT SHEET: Terrorism

*From the OEM website*

### EMERGENCY INFORMATION

1. Most terrorist incidents in the United States have been bombing attacks, involving detonated and undetonated explosive devices, tear gas and pipe and fire bombs.
2. The effects of terrorism can vary significantly from loss of life and injuries to property damage and disruptions in services such as electricity, water supply, public transportation and communications.
3. One way governments attempt to reduce our vulnerability to terrorist incidents is by increasing security at airports and other public facilities. The U.S. government also works with other countries to limit the sources of support for terrorism.

### U.S. TERRORIST INCIDENTS

From 1983 to 1991, the Federal Bureau of Investigation identified 101 terrorist incidents in the United States.

### WHAT IS TERRORISM?

Terrorism is the use of force or violence against persons or property in violation of the criminal laws of the United States for purposes of intimidation, coercion or ransom.

Terrorists often use threats to create fear among the public, to try to convince citizens that their government is powerless to prevent terrorism, and to get immediate publicity for their causes.

The Federal Bureau of Investigation (FBI) categorizes terrorism in the United States as one of two types--domestic terrorism or international terrorism.

Domestic terrorism involves groups or individuals whose terrorist activities are directed at elements of our government or population without foreign direction.

International terrorism involves groups or individuals whose terrorist activities are foreign-based and/or directed by countries or groups outside the United States or whose activities transcend national boundaries.

### BIOLOGICAL AND CHEMICAL WEAPONS

Biological agents are infectious microbes or toxins used to produce illness or death in people, animals or plants. Biological agents can be dispersed as aerosols or airborne particles. Terrorists may use biological agents to contaminate food or water because they are extremely difficult to detect.

Chemical agents kill or incapacitate people, destroy livestock or ravage crops. Some chemical agents are odorless and tasteless and are difficult to detect. They can have an immediate effect (a few seconds to a few minutes) or a delayed effect (several hours to several days).

Biological and chemical weapons have been used primarily to terrorize an unprotected civilian population and not as a weapon of war. This is because of fear of retaliation and the likelihood that the agent would contaminate the battlefield for a long period of time.

The Persian Gulf War in 1991 and other confrontations in the Middle East were causes for concern in the United States regarding the possibility of chemical or biological warfare. While no incidents occurred, there remains a concern that such weapons could be involved in an accident or be used by terrorists.

## Nuclear, Biological and Chemical (NBC) Preparedness

Actions you should take....

To be prepared for an NBC terrorist attack, you should...

- Observe Your Surroundings
- Check for physical, medical, or environmental signs of an attack.
- Follow Your Organization's Emergency Plan

If you are not familiar with this plan, you should contact your supervisor immediately.

Protect Yourself:

- Cover your nose and mouth with a cloth
- Take frequent shallow breaths
- Stay calm, do not panic
- Don't T-E-S-T: Taste, Eat, Smell, Touch
- Get away from the scene immediately to safety and wait for the emergency responders to arrive
- Follow the self-decontamination rule: Remove your outer clothing and wash off the contamination with plenty of cold water. If available, use soap.

Notify Proper Authorities

Immediately report:

- Location of the incident
- Number of victims
- Symptoms of victims
- Whether there is a fire or explosion
- Type of vehicle or container involved

- Where you could meet emergency responders

In addition, try to report the time of the incident and the weather conditions

911 Operators/Dispatchers should refer to the NBC Domestic Preparedness 911 Operator's/Dispatcher's Checklist when handling a report of a potential NBC terrorist incident.

Remember:

In many cases, people exposed to NBC materials have a good chance of surviving if they are decontaminated and medically treated immediately.

Early notification of the proper authorities can save your life and the lives of others. Help will be on the way if you have made the proper notifications.

Preparing for a building explosion...

The use of explosives by terrorists can result in collapsed buildings and fires. People who live or work in a multi-level building can do the following:

- Review emergency evacuation procedures. Know where fire exits are located.
- Keep fire extinguishers in working order. Know where they are located, and how to use them. Learn first aid. Contact the local chapter of the American Red Cross for additional information.
- Keep the following items in a designated place on each floor of the building.
  - Portable, battery-operated radio and extra batteries
  - Several flashlights and extra batteries
  - First aid kit and manual
  - Several hard hats
  - Fluorescent tape to rope off dangerous areas

- Bomb Threats

If you receive a bomb threat, get as much information from the caller as possible. Keep the caller on the line and record everything that is said. Notify the police and the building management.

After you've been notified of a bomb threat, do not touch any suspicious packages. Clear the area around the suspicious package and notify the police immediately. In evacuating a building, avoid standing in front of windows or other potentially hazardous areas. Do not restrict sidewalk or streets to be used by emergency officials.

When something happens....

In a building explosion, get out of the building as quickly and calmly as possible.

If items are falling off of bookshelves or from the ceiling, get under a sturdy table or desk if there is a fire.

Stay low to the floor and exit the building as quickly as possible. Cover nose and mouth with a wet cloth. When approaching a closed door, use the palm of your hand and forearm to feel the lower, middle and upper parts of the door. If it is not hot, brace yourself against the door and open it slowly. If it is hot to the touch, do not open the door--seek an alternate escape route.

Heavy smoke and poisonous gases collect first along the ceiling. Stay below the smoke at all times.

After something happens....

If you are trapped in debris:

Use a flashlight.

Stay in your area so that you don't kick up dust. Cover your mouth with a handkerchief or clothing.

Tap on a pipe or wall so that rescuers can hear where you are. Use a whistle if one is available. Shout only as a last resort--shouting can cause a person to inhale

dangerous amounts of dust.

### Assisting Victims

Untrained persons should not attempt to rescue people who are inside a collapsed building. Wait for emergency personnel to arrive.

### Chemical Agents

Chemical agents are poisonous gases, liquids or solids that have toxic effects on people, animals or plants. Most chemical agents cause serious injuries or death.

Severity of injuries depends on the type and amount of the chemical agent used, and the duration of exposure.

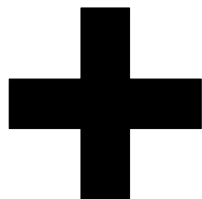
Were a chemical agent attack to occur, authorities would instruct citizens to either seek shelter where they are and seal the premises or evacuate immediately. Exposure to chemical agents can be fatal. Leaving the shelter to rescue or assist victims can be a deadly decision. There is no assistance that the untrained can offer that would likely be of any value to the victims of chemical agents.

### Biological Agents

Biological agents are organisms or toxins that have illness-producing effects on people, livestock and crops.

Because biological agents cannot necessarily be detected and may take time to grow and cause a disease, it is almost impossible to know that a biological attack has occurred. If government officials become aware of a biological attack through an informant or warning by terrorists, they would most likely instruct citizens to either seek shelter where they are and seal the premises or evacuate immediately.

A person affected by a biological agent requires the immediate attention of professional medical personnel. Some agents are contagious, and victims may need to be quarantined. Also, some medical facilities may not receive victims for fear of contaminating the hospital population.



## How You Can Help Victims of Terrorist Attacks on the U.S.

*From the OEM website*

NOTE: Charity scams are abundant.... be safe.... visit this website for more info....<http://www.give.org/>.

Blood donations: Visit the Bonfils Blood Center's website at [www.bonfils.org](http://www.bonfils.org) to find out where to donate blood or look in the phone book for a location nearest you. Please call for an appointment.

Cash and other donations for the terrorism victims may be needed. [www.helping.org](http://www.helping.org) This is a clearing-house of assistance organizations.

### Red Cross

For welfare inquiries, call the Mile High Chapter: 303-722-7474

For blood donations, call 800-give-life 888-blood-88

For cash donations, call 800-help-now

To volunteer: (800) 801-8092.

### To Donate Funds...

Search & Rescue volunteers, donations in kind:  
1-800-818-7974

New York State Donations Management:  
1-800-801-8092

This phone bank has received over 50,000 phone calls. They are now asking callers to make a financial contribution to:

World Trade Center Relief Fund  
Box 5028  
Albany, NY 12205

National Disaster Relief  
C/O American Red Cross  
444 Sherman Street  
Denver, CO 80203  
Credit Card by calling (303) 722-7474 or online at [www.denver-redcross.org](http://www.denver-redcross.org)

United Way  
United Way National Response Fund  
C/O Mile High United Way  
2505 18th Street  
Denver, CO 80211

Salvation Army: In-kind donations (including equipment, but not medical): 303-866-9280 (8:30 a.m. to 4:30 p.m.) Cash donations: 1-800-SAL-ARMY

Denver Fire Fighters Federal Credit Union is collecting donations for New York police and firefighters. (303) 458-6129.

Colorado State Grange's Emergency Relief Fund: (New York Disaster) 10700 W. Colfax Ave., Ste. C, Lakewood, CO 80215.

Virginia Donations Hotline: 866-827-3543. This line is accepting cash donations and taking offers of material and manpower donations.

Support The Fallen Heroes Of Our National Tragedy - [http://www.fema.gov/nwz01/nwz01\\_113.htm](http://www.fema.gov/nwz01/nwz01_113.htm)

### To Get Help...

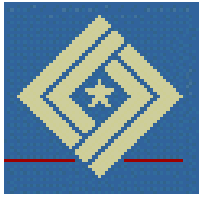
Red Cross Hotline: (303) 722-7474 Crisis Counselors are available 24 hours daily. In addition, brochures are also available to help adults and children cope with critical incidents.

Colorado Organization for Victim Assistance: Has advocates available for crisis information and referrals at (303) 861-1160

Grand Junction Critical Incident Stress Reactions call (970) 242-4851

Colorado West Mental Health Crisis Line (970) 241-6022

Colorado State Employee Assistance Program: (303) 866-4314



## OSHA Providing Safety and Health Aid To New York Rescue Workers

*From the OSHA website*

Nearly 180 staff members of the Occupational Safety and Health Administration (OSHA) are working around the clock, providing safety and health assistance and handing out thousands of respirators daily to rescue workers at the World Trade Center disaster site.

OSHA is also testing daily for asbestos, silica, lead and other contaminants. Test results continue to show no cause for concern in areas immediately surrounding ground zero and in public areas.

"I'm proud that OSHA staff are contributing directly to the protection of the search and rescue workers," said OSHA Administrator John L. Henshaw. "Our goal is to provide as much help as we can; we are not there in an enforcement role."

OSHA took immediate steps following the Sept. 11, 2001, disaster to coordinate with other federal, state and local agencies. After initial contact with the Environmental Protection Agency, the Federal Emergency Management Agency and various New York City agencies, OSHA sent industrial hygienists and safety officers to the Financial District and some rescue locations.

The agency took its first air and bulk samples on Sept. 13. The monitoring program is continuing, according to Pat Clark, OSHA's New York Regional Administrator, and now includes air sampling directly at the debris pile.

"We have taken over 200 air and bulk samples," Clark said. "Though the levels have been consistently safe, it is important that we continue to make sure the sampling continues through the various stages of the operation."

As the rescue extends into its third week, OSHA's sampling data is being shared with all federal, state and local agencies involved in the rescue effort. Agency staff from other parts of the country are also being sent to New York to help support the effort,

including fit-checking and distributing respirators and working with the New York Department of Design and Construction to monitor conditions associated with the use of heavy equipment as well as cutting and burning operations.

Among those working are the 23 members of OSHA's Manhattan Area Office who escaped when Building 6 of the World Trade Center, where they were located, was severely damaged.

As part of the overall rescue operation, OSHA also provided technical assistance and advice to officials of the Pentagon, the Federal Bureau of Investigation and the Bureau of Alcohol, Tobacco and Firearms.

## DENVER COMPANY MAY BE FINED

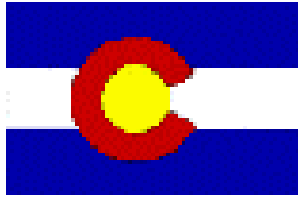
Following an accident at its Denver plant in February in which an employee lost an arm, Owens Corning has received citations for two alleged willful violations and one alleged serious violation of the Occupational Safety and Health Act. The company was issued proposed penalties totaling \$130,000.

The violations and penalties were issued by the Occupational Safety and Health Administration's Denver area office, following an inspection that began Feb. 15. Violations found were the result of inadequate machine guarding on asphalt shingle manufacturing equipment.

"An employee lost his arm and other employees were exposed to serious machine guarding hazards because this employer did not address recognized hazards prior to the accident," said Herb Gibson, acting OSHA area director in Denver, noting that reducing amputations is a national priority for OSHA.

OSHA cited Owens Corning for two alleged willful violations: failure to guard sprocket wheels and chains with a proposed penalty of \$70,000; and failure to guard rotating parts and in-running nip-points, with a \$55,000 proposed penalty.

The alleged serious violation, with a proposed penalty of \$5,000, was for failure to guard rotating parts such as belts and pulleys and failure to guard rotating parts and in-running nip-points.



## WORK-RELATED DEATHS RISE IN COLORADO

*From the Health Dept site*

The number of work-related deaths in Colorado rose from 106 in 1999 to 117 in 2000, an increase of 10 percent, according to the 2000 Colorado Census of Fatal Occupational Injuries. Most of this change resulted from an increase in transportation incidents.

The Colorado census is a cooperative effort of the Colorado Department of Public Health and Environment's Health Statistics Section and the U.S. Department of Labor's Bureau of Labor Statistics, which recently released its 2000 National Census of Fatal Occupational Injuries Report.

Transportation fatalities, which include highway, rail and aircraft accidents, continued to be the leading cause of work-related deaths, accounting for 58 of the state's 117 occupational fatalities during 2000. The next two leading causes of worker deaths in the state were assaults and violent acts, which took 25 lives, and contact with objects and equipment, which resulted in 15 deaths.

According to Debra Tuenge, coordinator of the Colorado occupational injury census, of Colorado's 58 transportation-related occupational deaths in 2000, 34 were highway fatalities; eight were non-highway; seven involved workers who were pedestrians; six resulted from aircraft crashes; and three from railway accidents. Highway accidents accounted for 29 percent of all occupational fatalities in 2000, compared with 30 percent in 1999.

In 2000, assaults and violent acts occurring at work were the cause of 25 deaths, including 13 suicides and 11 homicides. Fifteen of the 25 deaths involved firearms. The number of deaths due to assaults and violent acts that are classified as work-related nearly tripled since 1998. This increase is the result of improvements in the identification of suicides occurring at work, Tuenge said.

She explained that most work-related fatalities are identified when a box on the death certificate is checked to indicate that the injury occurred at work.

However, for suicides, this box is rarely checked even when incidents did occur at work.

The Colorado Census of Fatal Occupational Injuries Program now reviews all suicides to identify potential cases that occurred at work and attempts to collect additional information about those deaths, following the standard protocol developed by the Bureau of Labor Statistics for any potential work-related death. The third leading cause of death, contact with objects and equipment, was responsible for 13 percent of all work-related fatalities in 2000, compared to 14 percent in 1999.

Men accounted for 104 of the 117 worker deaths in 2000. By race, 84 deaths were to Anglo workers; 27 to Hispanic workers; and five were to Black or African American workers. Workers in the 25-to-34 year-old age group had the highest number of fatalities, with 31 deaths.

Fatal injuries in 2000 were most likely to occur on a Monday, for a total of 26. The time of day with the most fatal injuries was between 10 a.m. and noon with a total of 22 fatalities in 2000.

The county with the largest number of fatal injuries was Denver, where 21 workers were killed. El Paso County had 13 deaths and Weld County had 10 work-related deaths.

The service industry had the highest number of deaths for a total of 25; followed by the construction industry, which had 22 deaths; and the transportation/public utilities industry, in which 18 deaths occurred.

By occupation, operators (including machine operators, truck drivers, and construction laborers), fabricators and laborers totaled 33 deaths, of which 22 were in transportation and material-moving occupations. Twenty-four fatal injuries occurred to precision production, craft, and repair workers. Twenty-one deaths were in managerial and professional specialty careers, and 17 were in technical, sales and administrative support positions.

Additional information about work-related injury deaths in Colorado and the nation can be obtained by visiting the Colorado Census of Fatal Occupational Injuries website at:

[www.cdphe.state.co.us/hs/cfoi/cfoihom.asp](http://www.cdphe.state.co.us/hs/cfoi/cfoihom.asp)



## HANDLING STRESS FROM TRAUMATIC EVENTS

*Adapted from the Dept. of Military Affairs Website, by Tami Fehringer*

Events such as those in Washington and New York cause varying degrees of stress and trauma. Witnessing acutely traumatic incidents can trigger personal trauma related to the event, as well as any pre-existing traumas the individual may have experienced. After being exposed to this intense, unusual, and stressful event, people may experience disruptive or troublesome reactions. They may include:

### Emotional/Cognitive Reactions:

- Feeling "super alert"
- Having intrusive thoughts or thoughts which you can not get rid of
- Experiencing night mares
- "Seeing" the traumatic event when you do not want to/Flashbacks
- Feeling sad, anxious, depressed, upset, angry, fearful. Often these feelings are felt at the same time
- Feeling irritable
- Feeling numb or disconnected
- Having trouble remembering things, often in regard to the event
- Inability to enjoy things you previously enjoyed

### Physical Reactions:

- Nausea, or other intestinal upset
- Rapid heart beat
- Feeling dizzy or faint
- Body pain or headaches

### Behavioral Reactions:

- Acting withdrawn
- Having emotional outbursts
- Increase in alcohol or drug use
- Being jumpy or easily startled
- Inability to fall asleep or remain asleep
- Change in eating habits

While this list is not meant to be exhaustive, it can be used as a guide for individuals and their supervisors. Some may experience these reactions immediately, while others may not experience any reaction for days, weeks, or even months. It is important to remember that these reactions—although upsetting and disruptive—are normal.

Practical steps by individuals and supervisors can assist in the healing process of this terrible event. Perhaps the most important is to provide an environment where individuals are free to discuss their experience and reactions. Not allowing people opportunity to talk about trauma only amplifies their reaction and can increase the potential for further difficulties. Suggested activities for those experiencing stress or trauma may include:

- Talking with a trusted individual about the experience. This is the most positive, helpful step to deal with trauma-inducing events.
- Get plenty of rest, proper nutrition, and especially exercise.
- As the agency increases security measures, communicate these steps to employees in a timely fashion.
- Discuss the event, but do not focus or speculate primarily on retaliation.
- Continue to enjoy the things like movies, and social activities.
- Reiterate that it's acceptable to have feelings, even if not openly expressed to others.
- Attend the church, mosque or synagogue of your choice.





## LEGAL UPDATE

### Sexual Harassment

*From the Judicial website*

The Colorado Supreme Court has ruled that sexual harassment is not covered by the exclusive remedy provision of workers' compensation law and that employees may sue employers for sexual harassment.

Case No. 99SC875 – Nestor Horodyskyj and Zoriana M. Mororzewych-Horodyskyj v. Richard Karanian was published on October 1, 2001.

According to the court, "Richard Karanian, owner of Argus Electric, allegedly sexually harassed Nestor Horodyskyj, his only co-employee, prompting Horodyskyj to terminate his employment and file suit.

The trial court decided that Horodyskyj's injuries "arose out of" his employment and thus held that the exclusivity provisions of the Workers' Compensation Act barred his tort claims against both Karanian as an individual and Argus as employer. The court of appeals reinstated the claims against Karanian but upheld the dismissal of tort claims against Argus"

The court ruled, "Injuries are not employment-connected simply because the victim and perpetrator met on the job. Where, as here, the complaint alleges that the employee was specifically targeted for reasons personal to one of the parties, the injury does not "arise out of" employment because there is no nexus to the employee's work-related functions. The court thus concludes that Horodyskyj's tort claims against Argus were improperly dismissed as being barred by workers' compensation exclusivity."

The court noted, "Nestor Horodyskyj was employed as an apprentice electrician for Argus Electric Service, Inc. from May 1994 to May 1995. Richard Karanian was Horodyskyj's only co-employee and also the president and sole owner of Argus.

Horodyskyj alleges that in the course of his employment at Argus he was sexually harassed by Karanian, who made sexually suggestive remarks to, and unwelcome physical contact with, him. These incidents occurred during regular employment hours. Horodyskyj claims that as a result of these incidents,

he left his employment position at Argus"

The court noted, "Horodyskyj filed numerous claims in the trial court, including common-law tort claims of assault and battery, intentional infliction of emotional distress, negligent infliction of mental distress, and invasion of privacy. He also filed a constructive discharge claim based on the Colorado Anti-Discrimination Act. Horodyskyj's wife, Zoriana Mororzewych-Horodyskyj, asserted claims for loss of consortium. The claims brought against the co-employee, Karanian, were also brought against the employer, Argus, under a respondeat superior theory"

The court found, "...we determine that, in the usual case, injuries resulting from workplace sexual harassment do not arise out of an employee's employment for purposes of the Workers' Compensation Act. Moreover, nothing in the express language of the Act addresses sexual harassment. Although the Act was designed to provide exclusive remedies for employees suffering work-related injuries, it was not intended to cover injuries resulting from the usual case of workplace sexual harassment; specific federal and state anti-discrimination laws cover those cases. We hold that Horodyskyj's injuries are not compensable under the Act and, therefore, his claims based on sexual harassment and related torts are not barred by the Act.

The court noted, "...willful assaults by co-employees are divided into three categories: (1) those assaults that have an inherent connection with the employment; (2) those assaults that are inherently private; and (3) those assaults that are neutral. Both the first and third categories of assaults arise out of the employment for the purposes of the Workers' Compensation Act and therefore prevent an employee from suing his or her employer in tort for injuries based on such assaults. Only the second category of injuries, inherently private assaults, does not arise out of employment and thus tort claims based on such assaults are not barred by workers' compensation exclusivity.

Full text of the ruling can be found at:  
<http://www.courts.state.co.us/supct/opinion/99SC875.doc>



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